

Michael E. Eller
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Petitioner, in pro-se'

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

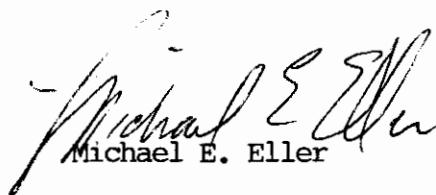
MICHAEL E. ELLER,) CIVIL ACTION NO. 05-10740-DPW
Petitioner;)
)
)
V.)
)
)
LUIS SPENCER,)
SUPERINTENDENT)
Respondent;)

NOTICE OF APPEAL

Petitioner, Michael E. Eller, appearing in pro per, hereby appeals
from the judgment of the court dismissing his Petition for Writ of Habeas
Corpus in the above entitled action. Said Judgment was entered on June 1,
2005, by Hon. Douglas P. Woodlock J.

Concurrently herewith, Petitioner requests that the District Court
issue forth a Certificate of Appealability. An application for COA is being
filed contemporaneously filed.

Dated; 7 day of June, 2005



Michael E. Eller

Petitioner, pro-se